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August 25, 2021

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”), in connection with the Court’s June 18, 2021 order directing the parties to “file a joint proposal recommending reasonable deadlines for rebuttal expert reports and the close of expert discovery,” ECF No. 6872, at 1, and the Court’s further order extending to today the deadline for such a proposal, *see* ECF No. 7062. The Plaintiffs’ Executive Committees (“Plaintiffs”) and Defendant Dallah Avco join in this letter.

The parties have been unable to reach an agreement on a joint proposal for deadlines for rebuttal expert reports and the close of expert discovery. Plaintiffs intend to move for an extension of the current September 15, 2021 deadline for their expert reports in light of the developments announced in the Department of Justice’s submission of August 109, 2021, ECF No. 7004 (relative to which Plaintiffs have been seeking additional details from the government over the last two weeks). Saudi Arabia intends to oppose any extension of the current schedule and will set forth in its opposition proposed dates for rebuttal reports, the close of expert discovery, and the filing of a renewed motion to dismiss. Dallah Avco agrees with Saudi Arabia that the expert discovery schedule should not be delayed as a result of any further productions from the FBI.

Subject to the Court’s approval, the parties have agreed that Plaintiffs will file their motion on Thursday, August 26, 2021; Saudi Arabia and Dallah Avco will file their oppositions on Tuesday, August 31; and Plaintiffs will file their reply on or before Thursday, September 2.

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Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: All MDL Counsel of Record (via ECF)